

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Chico Tillmon,

Civil No. 06-2356 (RHK/JJG)

Petitioner,

ORDER

v.

Warden R. L. Morrison,

Respondent.

This matter is before the undersigned upon the report and recommendation of the United States Magistrate Judge. Plaintiff Chico Tillmon is proceeding pro se. Defendant R.L. Morrison is represented by James E. Lackner, Assistant United States Attorney. No objections have been filed to the report and recommendation in the time permitted. Based on the report and recommendation of the Magistrate Judge, and being duly advised of all the files, records, and proceedings herein, **IT IS**

HEREBY ORDERED that:

1. The Report and Recommendation (Doc. No. 8) is **ADOPTED**;
2. Tillmon's Motion to withdraw his petition for a writ of habeas corpus (Doc. No. 6) is

GRANTED;

3. This matter is **DISMISSED WITHOUT PREJUDICE**; and
4. Tillmon's Motion for injunctive relief (Doc. No. 2) is **DENIED AS MOOT**.

Dated: September 27, 2006

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge